

FLATHEAD CITY-COUNTY BOARD OF HEALTH  
MINUTES OF SEPTEMBER 18, 2008  
2:00 – 4:00 P.M.  
CONFERENCE ROOM / EARL BENNETT BUILDING  
KALISPELL, MONTANA

<u>Members Present</u>		<u>Others</u>
Glen Aasheim, MD	Jesse Arneson	Marly Jenson
Nancy Askew	Jane Beck	Brittany Johnson
Joe Brenneman	Edd Blackler	Kirsten Johnson
Duane Larson	Carol Bonser	Pride Johnson
Wayne Miller, MD	James Bonser	Jeannine Lund
Doug Smith, DMD	Kate Cassidy	Cathlyn Mendiue
Art Thompson, MD	Kamera Cellins	Chris Moritz
	Paul Conrad	Tonya Passwater
	Mystel Creighton	Katrina Rauthe
	James Dake	Joe Russell
	Pat Dake	Russell Sappington
	Lisa Dennison	Kimberly Schwartzmiller
	Myni Ferguson	John Stalow
	Mayre Flowers	Jolynn Stalow
	Glen Gray	Boni Stout
	Cary Heskett	Kelly Telfer
	Kirsten Holland	Jim VanDenburg
	Wendee Jacobs	Danette Vessie
	James Jensen	

Call to Order

Chairperson Nancy Askew called the meeting to order at 2:04 P.M.

Boni Stout announced that there are several nursing students from MSU who are attending the meeting. The nursing program director for the Kalispell MSU campus introduced each student.

Approval of Agenda

**MOTION Doug Smith to approve the agenda as mailed.**

**SECOND Duane Larson**

**MOTION CARRIED**

Approval of Minutes of July 17, 2008 Regular Meeting

**MOTION Larson to approve the minutes of July 17, 2008 regular meeting as mailed.**

**SECOND Art Thompson**

**MOTION CARRIED**

Approval of Minutes of August 21, 2008 Retreat

Smith stated that he would like the minutes to state that he was not present for the first two hours of the meeting. Wayne Miller reported that on page four, he did not mention the issue regarding the letter to be sent to the Lake County Commissioners.

**MOTION Aasheim to approve the minutes of August 21, 2008 retreat as modified.**

**SECOND Thompson**

**MOTION CARRIED**

### Citizen Comments

#### Russell Sappington-

Russell Sappington stated that he is the Assistant Chief from West Valley Fire. He reported that, as open burning season begins on October first, they will usually be dispatched to several air quality burning complaints. He reported that they do not have any authority over air quality issues. Sappington suggested that the dispatcher should refer the air quality and illegal burn calls to the Health Department instead of the fire fighting units. He asked if a memo could be sent to the dispatcher to notify them of this matter. Sappington reported that they received their Flathead County budget for their fire department. When their unit received the budget back, the budget showed that they were denied their allotted EMS funds. He asked for clarification as to why they did not receive the funding for the requested \$25,000. Russell stated that the funds are earmarked to West Valley but there will be an application process involved and the funds will not be provided until they apply. Sappington reported that most of the West Valley firefighters must leave their jobs to respond to a dispatched call. Therefore, having an illegal burn call dispatched to the Health Department would alleviate time away from their work. Smith agreed that the illegal burn calls should be dispatched to the Health Department or law enforcement to implement fines. Wendee Jacobs stated that Environmental Health has forms available for the fire departments to use when they are dispatched to an illegal burn. Askew wondered if the various fire departments have the form. Jacobs said that the document was e-mailed to them. Askew asked for Jacobs to send out the form again. Miller wondered if the fire department has spoken with Mark Peck from Office of Emergency Services. Sappington said that they have. Miller said that he will speak with Peck as well. He added that the Board will follow up with Sappington.

#### James Bonser-

James Bonser reported that he lives on Rocky Woods Lane in Bigfork. He distributed a document providing facts, opinions and a petition about the violations conducted on the Lee and Evenson sites. He read the document to the Board. See the attached document for his presentation. Aasheim inquired about the application and the inspection of the site. Bonser reported that he is unaware of that information because he is unable to obtain information from Renai Hill who is from the Office of Environmental Quality. Bonser displayed maps of the discussed property. Bonser reported that the well is on the south end of the property. He added the Shur Clean is going to place a fence on the east boundary. He added that fencing one end of the property will not have full effectiveness. Larson wondered if the Board and the Health Officer could speak with the State DEQ to suggest ceasing the permitting process until this matter is resolved. Russell stated that they could do so. Bonser mentioned that according to Rule 15A, the Board has authority to reject the permit. Larson suggested that they discuss this matter at a later date so that the discussion is legally noticed to the public. Russell announced that he does have the authority to cease action on the property. He added that he will contact the state to say that if the permit is issued, the Health Department will deny it. Larson mentioned that it appears that there is no oversight on the discussed properties. He added that it seems that Hill is responsible for that problem. Russell stated that there has been oversight. He mentioned that it is true that Hill is the one person who conducts the state permitting. Russell announced that the department staff will respond to these types of complaints and visit the sites to ensure compliance. If not in compliance, the staff will turn them into the state because the department is not the permitting authority. Although, he added that the department does have the ability to not renew a site. Larson stated that they have not received a complaint on the property until this point. He wondered if the sites could be inspected. Russell stated that the Evenson site is a property that the department will have to inspect based on the recent information discussed. He added that Kate Cassidy has been to the Lee site twice and he has visited the site as well. Miller wondered if the Board could recommend Russell to ask that Hill respond to this matter. Larson stated that the Board should forward the presented information to Hill for her review. Smith wondered how long they have been dumping on the sites. Bonser said that it has been done for many years. John Stalowky stated that a resident in the area, Carol Nelson, spoke with Hill and told him that a petition was being constructed against Hill's response. Hill responded by saying that petitions are insignificant and the permit has

already been issued. Miller confirmed that the Board recommends that Russell submit the presented information to Hill and ask for a written response. Askew agreed.

Mayre Flowers-

Mayre Flowers stated that she is representing Citizens for a Better Flathead. She said that she is speaking in regards to disposal of septic waste in the community. She announced that there are no tools available to understand when land use decisions are being made, where the fields are located, the number of septic systems in the county, or the amount of acres needed to ensure a preserve of revolving stock of land that this can be applied to. Flowers said that the next time the Board discusses this issue, it would be ideal to have a Planning employee attend. She wondered if a land use planning map could be constructed to show existing and historic sites. She felt that it may be appropriate to review the acreage size needed to identify land use guidelines for where the sites are appropriate. Flowers reported that it is valuable to ask if grease is a component that is being included in the permits.

Chris Moritz-

Chris Moritz stated that he lives on Swan Hill Drive in Bigfork. He stated that East Helena has a wastewater treatment plant that accepts sewage from septic tanks. He spoke with the engineers who said that it is a simple installation of a single tank and pump that meters in the sewage into the treatment plant. He added that this operation could be included in the Kalispell treatment plant with the exception that trash must be screened out. Moritz announced that Lewistown is also providing that service.

#### Animal Shelter Health Program Assistant I Position

Askew stated that at the Board of Health retreat, they discussed hiring an employee for the Animal Shelter using funds from two different accounts for one year. Russell announced that the job description for the position has been finished and still needs to be approved by the Board of Health, the Commissioners and the MPEA. He added that he will distribute the job description to the Board via e-mail. Larson inquired about the funding for the position. He understood that it was discussed that half of the funds will come from the general fund and the remaining will be provided by the Health fund. Brenneman reported that the Commissioners anticipated the valuations to come in to be four to five percent. These valuations determine the amount of revenue that the county has to expend in appropriations. In actuality, the valuations came in below three percent. Brenneman reported that it will be his recommendation to the other Commissioners that they not fund any positions for fiscal year 2009 that aren't covered by a new revenue source. He added that it is his recommendation that Flathead County not fund a half time employee for the Animal Shelter. Brenneman added that he has spoken with the Sheriff's Office to discuss that the animal wardens be available for four hours a day, seven days a week, to work at the Animal Shelter. Smith suggested possibly developing a program to obtain donations. He added that the wardens should be available to assist in the Animals Shelter's services. Aasheim wondered what services are provided under the new job description. Russell stated that the job description includes the services of an administrative assistant and a volunteer coordinator. This employee would allow Kirsten Holland to perform grant writing duties for the Shelter. Askew hopes that they could fund an employee to work at least three days per week. Larson wondered if it was possible to fund an employee for one year as a trial. Russell announced that, as directed by the Board, he will fund half of the position. Although, the position will cost approximately \$24,000 and their fund will not cover all of it. Russell hoped that the Board would not have the department cover the whole expense because the department is already spending more money than they will bring in this year. Larson stated that part of the reason why they intended to hire an employee was to allow Holland to perform grant writing and also to alleviate the rest of the staff from being overworked.

**MOTION**      **Larson to fund a full time position for one year and reevaluate it at the end of the year.**

**SECOND**      **Aasheim**

<b>MOTION</b>	Smith to amend the first motion to fund a part time position at the Animal Shelter for one year and reevaluate at the end of the first year.	
<b>SECOND</b>	Larson	<b>MOTION CARRIED</b> (Abstain: Miller)

<b>MOTION</b>	<b>Smith to approve funding for a part time position at the Animal Shelter for one year and reevaluate at the end of the first year.</b>	
<b>SECOND</b>	<b>Larson</b>	<b>MOTION CARRIED</b> <b>(For: Aasheim, Askew, Larson, Smith, Thompson)</b> <b>(Against: Brenneman)</b> <b>(Abstain: Miller)</b>

Russell reported that the EMS Committee met in the past to discuss the need of a paramedic to go into the field to help the units understand the direction the Board is setting through the EMS Committee. He said that the job description has been created. Russell stated that he received an e-mail from the Justice Center regarding the EMS Coordinator/RN position. He mentioned that there was concern that the Board and Committee are not following the direction as to which they set. Russell reported that the EMS Coordinator/RN position was approved by the Board in August of 2001. After interviews for the position, Marty Boehm was hired as an independent contractor instead of a county employee. Recently, Human Resources provided a list to Russell with contractors that may or may not be independent contractors and exempt from workman's comp. After reviewing the list, Russell determined that Boehm did not comply and therefore either had to become a county employee or obtain the workman's comp exemption. Boehm elected to become an employee. Russell reported that he obtained the EMS Coordinator/RN job description and brought it to the Commissioners to have the contract position converted into a county employee position. He announced that the Commissioners need clarification as to how the paramedic position will exist in the county system. Russell stated that the paramedic position is scheduled on the agenda for the next EMS Advisory meeting. He added that the paramedic employee will be a field position. This employee will also provide a source of information for the Medical Director. Larson confirmed that the EMS Coordinator/RN is the position that Boehm will fill. Russell agreed. Brenneman felt that it is premature to assume that these two positions are needed, prior to the EMS Committee deciding what is needed in EMS. He added that the Commissioners have agreed attentively to assess the full three mills which voters have allowed. Miller reported that this matter is scheduled on the EMS Committee meeting after the Board meeting. He added that the paramedic position is consistently being requested by field personnel. Askew reported that the Committee will discuss this matter and bring it back to the Board.

Russell asked if the Board would like to implement a policy on this issue. He reported that portable toilets are generally used for event use, work sites, etc. Recently, the Department has been noticing that these toilets have been being used for longer periods of time. Russell stated that he would like to see that portable toilet use have a policy and eventually placed in the regulations. Brenneman wondered if a regularly serviced portable toilet poses a health threat if it is placed in a specific location for a long period

of time. Russell stated that allowing long term use of portable toilets could evolve into a precedent and eventually have devastating results. They may also pose threats when in the flood plain. Askew asked Russell to bring a portable toilet use policy to the next Board meeting for review and action. Miller wondered where the portable toilet pumpers dump their sewage. Russell stated that most of them use the Columbia Falls waste water treatment plant. Larson wondered if there could be a rule in the policy to state how often the portable toilets should be serviced. Russell reported that he hopes to meet with various pumpers in the valley to discuss how the pumpers could be of assistance to the policy.

#### Septic System Sizing for Guest Homes – Subject Matter for Discussion

Russell announced that Jacobs was asked to construct a permit for a single family dwelling for less than a three bedroom permit. Russell found that in the regulations it does not allow such a permit to be issued. He added that the regulations require that the department size a three bedroom dwelling for 350 gallons per day. He mentioned that there may have been instances where permits have been issued for less than 350 gallons. Russell asked that the Board get involved in constructing a policy in regards to this issue. Askew asked that Russell educate the Board on this matter and bring it back to the Board as a policy. Russell stated that he will bring it back for the Board to review and modify.

#### Departmental Reports

##### Home Health-

Paul Conrad reported that the fiscal year figures increased by 10 percent. He added that their profits increased by 20 percent. Aasheim wondered what type of wounds Home Health typically cares for. Conrad stated that they primarily service wounds from infected surgery sites. He added that treating wounds is expensive for Home Health.

##### WIC-

Jeannine Lund announced that, as part of their outreach program, they distributed water bottles with informational WIC flyers attached to them. They were distributed at the county fair and at the fair parade. Lund reported that since August, they have serviced 16 new clients who received the water bottle flyers.

##### Animal Shelter-

Holland announced that the Board received the Shelter statistics in their packet for review. She reported that she is concerned about her employees who are consistently working overtime due to their devotion to the animals. She asked that the Board reconsider their motion and to hire a full time employee instead of a part time employee due to the overwhelming work required at the shelter.

##### Community Health Center-

Boni Stout reported that she was at the Montana Public Health Association last week and would like to announce that there were three department staff members who received awards. Glen Gray and Wendy Doely both received a career achievement award. She added that Linda Bodick received an award for her work in communicable disease. Stout announced that it is National Suicide Prevention Week and there are several events to acknowledge the occasion. She mentioned that they are beginning to prepare for this year's flu clinics.

##### Environmental Health-

Gray reported that their departmental figures are still low. He added that they have reviewed 100 fewer subdivision applications compared to fiscal year 2007. Gray mentioned that the septic applications have also decreased by one third since last year. Jacobs announced that the Bulldog has been sold to Brien Scott who is part of the motel owner group. She stated they received a plan review for the restaurant and they are scheduled to do a preopening inspection on Friday morning. Jacobs confirmed that the bar is under different ownership than the restaurant. Askew inquired about the letters placed in the Environmental Health report packet. Russell stated that a dwelling in the Tamarack Woods Subdivision

has a portable toilet in a garage and they have no sewage treatment system. It has been an ongoing problem but he expects to get them into compliance. Russell referred to the other letter in the packet concerning a cabin that is in violation of the floodplain and septic regulations. He added that he will be visiting the site on Monday with Tara Fugina, County Attorney.

#### Community Health Center-

Dennett Vessie announced that she is representing Doely who could not attend the meeting. She distributed two CHC budget reports to the Board. She reviewed the patient visit statistics with the Board. Vessie reported that they have a new Nurse Practitioner, Medical Assistant and all front office positions have been filled. She added that the Dentist position will be posted in the next week and the Dental Assistant job description is in the approval process by the Dental Committee. After approval by the Dental Committee, the Dental Assistant job description will need to be reviewed by the Board of Health. Vessie stated that the contract for the mobile dental unit has been approved and they hope to begin providing dental services in November. Russell stated that the new Nurse Practitioner is from Idaho and has a significant amount of Community Health Center experience. Russell stated that all of the job descriptions except the Dental Assistant have been approved by the Board. He added that the Dental Assistant job description needs to be approved by the Board of Health. Russell requested that Smith act for the Board so that the Department does not have to wait four weeks to have the job posted.

**MOTION Thompson to have Smith act for the Board in approval of the Dental Assistant job description.**

**SECOND Brenneman**

**MOTION CARRIED  
(Abstain: Smith)**

#### Health Officer Report

##### Budget/Finance Matters-

Russell announced that the Board received the Health Department Budget (Mil) Calculation spreadsheet. He reviewed the spreadsheet with the Board.

##### Community Health Center Activity-

Russell stated that they have had budget amendments. He added that there was a change order as the clinic expanded into the shelled space. The cost of the shelled space change order will be covered by the Commissioners.

##### Flathead Lake (Basin) TMDL-

Russell reported that he, Brenneman, Cassidy and Jacobs attended a TMDL workshop at the Hampton Inn. He stated that policy makers need to be involved in the TMDL matter.

##### Neuharth and Walker Variance Follow-Up-

Russell said that a letter was sent on July 21<sup>st</sup> which stated that the Board granted the variance and that the Department would proceed with the permitting process. He added that on August 20<sup>th</sup>, Dick Montgomery inspected the site and reported that it is in compliance.

##### Other-

Russell announced that he will be in Denver, Colorado on September 23<sup>rd</sup> and 24<sup>th</sup> for a CIFOR meeting. He will also be in New Orleans on October 8<sup>th</sup> and 9<sup>th</sup> for a meeting. Askew confirmed that the Board will meet on October 16<sup>th</sup> at 9:00 A.M. for Board training. Russell stated that the training will provide information on changes is the statue. He suggested that the Board bring their guidance books to the training. Smith reported that he will not be able to attend the training. Russell suggested that the Board conduct a limited Board meeting after the training. Askew reported that Russell asked that the Board

reschedule the November meeting to the 13<sup>th</sup>. Russell stated that he will be out of town on the week of the 21<sup>st</sup> for training.

#### Other Business

There was no other business discussed.

#### Board Member Comments

Smith expressed his sympathy for Holland and the Animal Shelter employees.

Miller wondered how the Board could strive for a 26 percent reserve in the budget and deny positions that the Board feels are important. He felt that a discussion of the reserve rationale be discussed at a future meeting. Larson agreed with Miller. Askew wondered what the salary would be for a full time position at the Animal Shelter. Russell stated that it is approximately \$36,000 which includes benefits.

The meeting adjourned at 4:38 P.M.

Lisa Dennison, Secretary